



## STAFF REPORT

MAPC: November 17, 2022

DAB VI: November 7, 2022

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<b><u>CASE NUMBER:</u></b>	ZON2022-00058 (City)
<b><u>APPLICANT/AGENT:</u></b>	JR Consulting, LLC (owner); KE Miller Engineering (agent)
<b><u>REQUEST:</u></b>	TF-3 Two-Family Residential
<b><u>CURRENT ZONING:</u></b>	SF-5 Single-Family Residential
<b><u>SITE SIZE:</u></b>	0.45 acre
<b><u>LOCATION:</u></b>	Generally located within one block north of West 21 <sup>st</sup> Street North and one-half mile west of North Arkansas Avenue (2331 North Burns Avenue).
<b><u>PROPOSED USE:</u></b>	Duplexes
<b><u>RECOMMENDATION:</u></b>	Approval



**BACKGROUND:** The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for two parcels. One parcel is the property addressed as 2331 North Burns Avenue, which comprises four platted lots. The other parcel is the property abutting to the south, which comprises two platted lots. The subject site is generally located within one-block north of West 21<sup>st</sup> Street North and within one-half mile west of North Arkansas Avenue. The subject site is 0.45 acres in size and is currently undeveloped. Historical aerial images show a single-family dwelling, and an accessory structure occupied the parcel addressed as 2331 North Burns at least until 2017. The structures were removed sometime between 2017 and the present. The applicant intends to build three duplexes.

The site is 19,500 square feet in area. The TF-3 zoning district requires a minimum of 3,000 square feet per dwelling unit for duplex development. This means that the site can support up to three duplexes. The zone change does not permit multiple duplexes to be developed on one large lot. Each duplex will have to be on its own parcel with separate access to North Burns Avenue and meet all required setbacks and parking requirements. The parking requirement for a duplex is one parking space per dwelling. Parking is not permitted within the front, 25-foot setback. The off-parking space for each dwelling can be counted within a garage.

Properties to the north, east, south, and west are zoned SF-5 Single-Family Residential District and developed with single-family dwellings and accessory structures. Property to the northeast of the site is zoned SF-5 District and developed with a church. In 1996, two variances were approved for the church property: 1) to reduce the side yard setback from 20 feet to seven feet, and 2) reduce the parking requirement from 30 spaces to 16 spaces. There is TF-3 Two-Family Residential zoning and duplex development within one-quarter mile west of the subject site on North Hood, North Garland, and North Somerset Avenues.

**CASE HISTORY:** in 1887, the property was platted as even lots 44 through 54, Block 1, Kansas City Addition. No other zoning actions have taken place on the site.

**ADJACENT ZONING AND LAND USE:**

NORTH:	SF-5	Single-family residence
SOUTH:	SF-5	Single-family residence
EAST:	SF-5	Single-family residence and church
WEST:	SF-5	Single-family residence

**PUBLIC SERVICES:** North Burns Avenue is a paved, two-way local street without sidewalks. There is a platted, 17.37-foot gravel alley on the rear of the property. Wichita Transit provides regular bus service within one-block to the south along West 21<sup>st</sup> Street North. Municipal water and sewer are available to the site.

**CONFORMANCE TO PLANS/POLICIES:** The requested zoning would continue to allow the property to be in conformance with the following plans.

**The Community Investments Plan:** The requested zoning aligns with the goals of the Community Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be primarily appropriate for residential uses and defines residential uses as a variety of housing types including duplexes.

**Wichita: Places for People Plan:** The requested zoning aligns with the goals of the Wichita: Places for People Plan. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 5, “Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.” The proposed duplex would provide a housing option that otherwise is limited in the area. The requested zoning also aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The

proposed rezoning would allow infill within the undeveloped zoning lot that is residential in nature.

- **Current Condition:** The subject property is located within an area identified as an “area of opportunity.” The Places for People Plan defines Areas of Opportunity as those “areas that generally exhibit economic challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area.” The proposed rezoning would permit the development of other housing options in the area and is an example of private investment.

**21<sup>st</sup> Street North Corridor Revitalization Plan:** The requested Conditional Use is in conformance with the goals and future land use of the *21<sup>st</sup> Street North Corridor Revitalization Plan*. In December 2004, this Plan was adopted with the purpose to provide goals and objectives to revitalize the 21<sup>st</sup> Street North corridor from North Amidon Avenue to North Hillside Avenue. It primarily focuses on the commercial development along 21<sup>st</sup> Street in addition to a transportation plan for the corridor as well. However, it does provide guidance for land use for properties within one to two blocks north and south of 21<sup>st</sup> Street.

- **Goals:** the requested zone change is in conformance to Goal 1, “Increase the long-term economic renewal, vitality, and sustainability of the 21<sup>st</sup> Street North Corridor Revitalization Plan area.” Infill development with providing additional housing on vacant lots promotes economic renewal and vitality.
- **Future Land Use:** The Plan provides guidance for future land use for properties within two blocks north and south of 21<sup>st</sup> Street. The Preferred 20 + Year Land Use Plan identifies the subject property as appropriate for single-family residential. The only residential land use categories identified on this Land Use Plan are “single-family residential” and “residential high density.” The Unified Zoning Code identifies TF-3 Two-Family Residential zoning as a compatible zoning classification with SF-5 Single-Family Residential by not requiring mitigation factors such as additional setbacks, screening, or landscaping.

**RECOMMENDATION:** Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request.

This recommendation is based on the following findings:

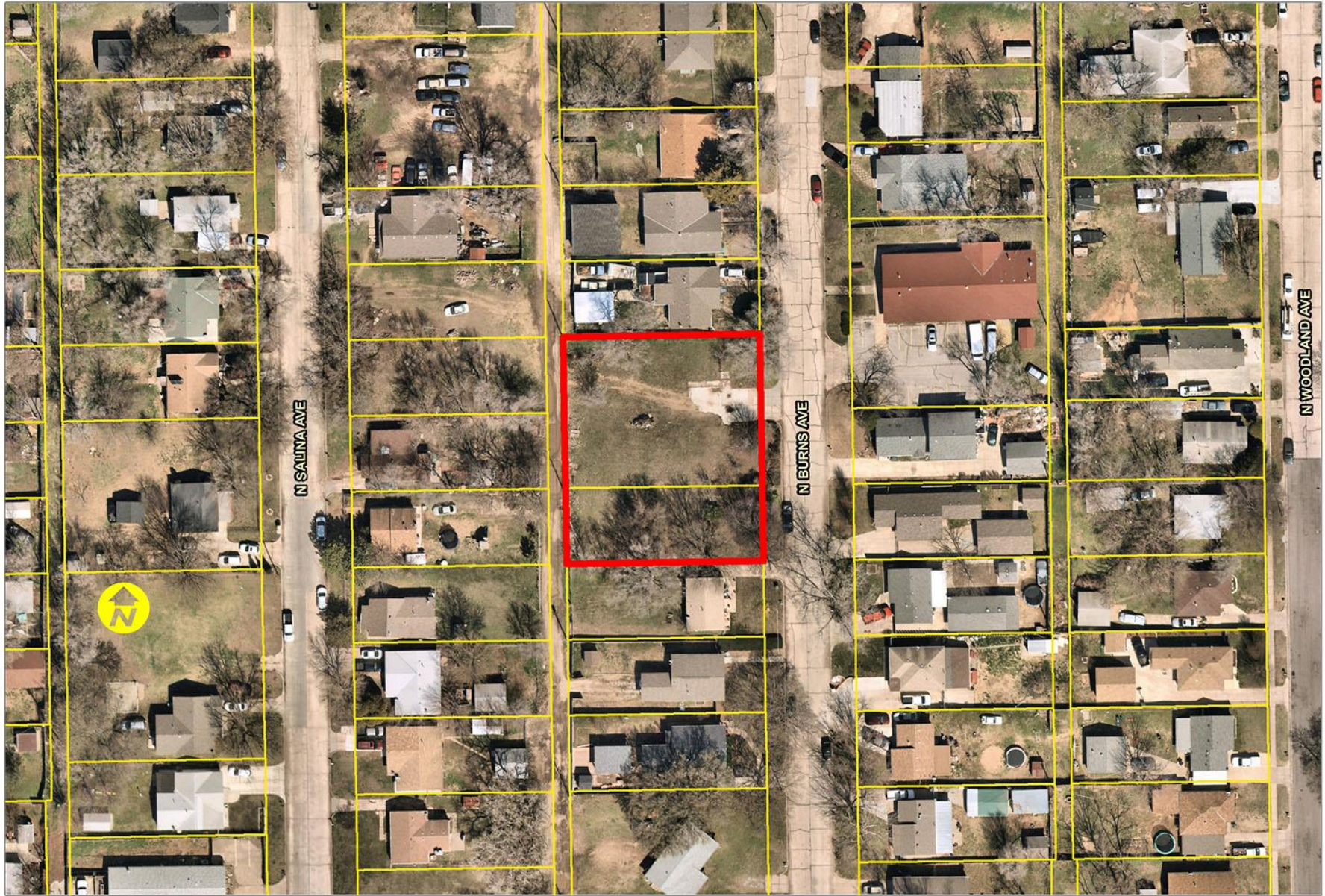
1. **The zoning, uses and character of the neighborhood:** Properties to the north, east, south, and west are zoned SF-5 Single-Family Residential District and developed with single-family dwellings and accessory structures. Property to the northeast of the site is zoned SF-5 District and developed with a church. In 1996, two variances were approved for the church property: 1) to reduce the side yard setback from 20 feet to seven feet, and 2) reduce the parking requirement from 30 spaces to 16 spaces. There is TF-3 Two-Family Residential zoning and duplex development within one-quarter mile west of the subject site on North Hood, North Garland, and North Somerset Avenues.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single Family Residential and could be redeveloped with single-family homes.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Most subdivisions platted and developed prior to the 1960s are in use as single-family residences. Because of the similarity of residential use, the UZC does not require screening between SF-5 and TF-3 zoning districts.
4. **Length of time the subject property has remained vacant as zoned:** The single-family dwelling on the site was removed within the last five years.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan*, the *Wichita: Places for People Plan*, and the *21<sup>st</sup> Street North Corridor Revitalization Plan* as discussed in the staff report.

6. **Impact of the proposed development on community facilities:** Development of the property with the requested zoning is not anticipated to have significant adverse impacts on community facilities or resources. All public improvements are available to serve the property.

Attachments:

- Aerial Map
- Zoning Map
- Land Use
- 21<sup>st</sup> Street North Plan Future Land Use Map
- Photos









# 2035 Wichita Future Growth Concept Map

## Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

## Statistical Development Areas

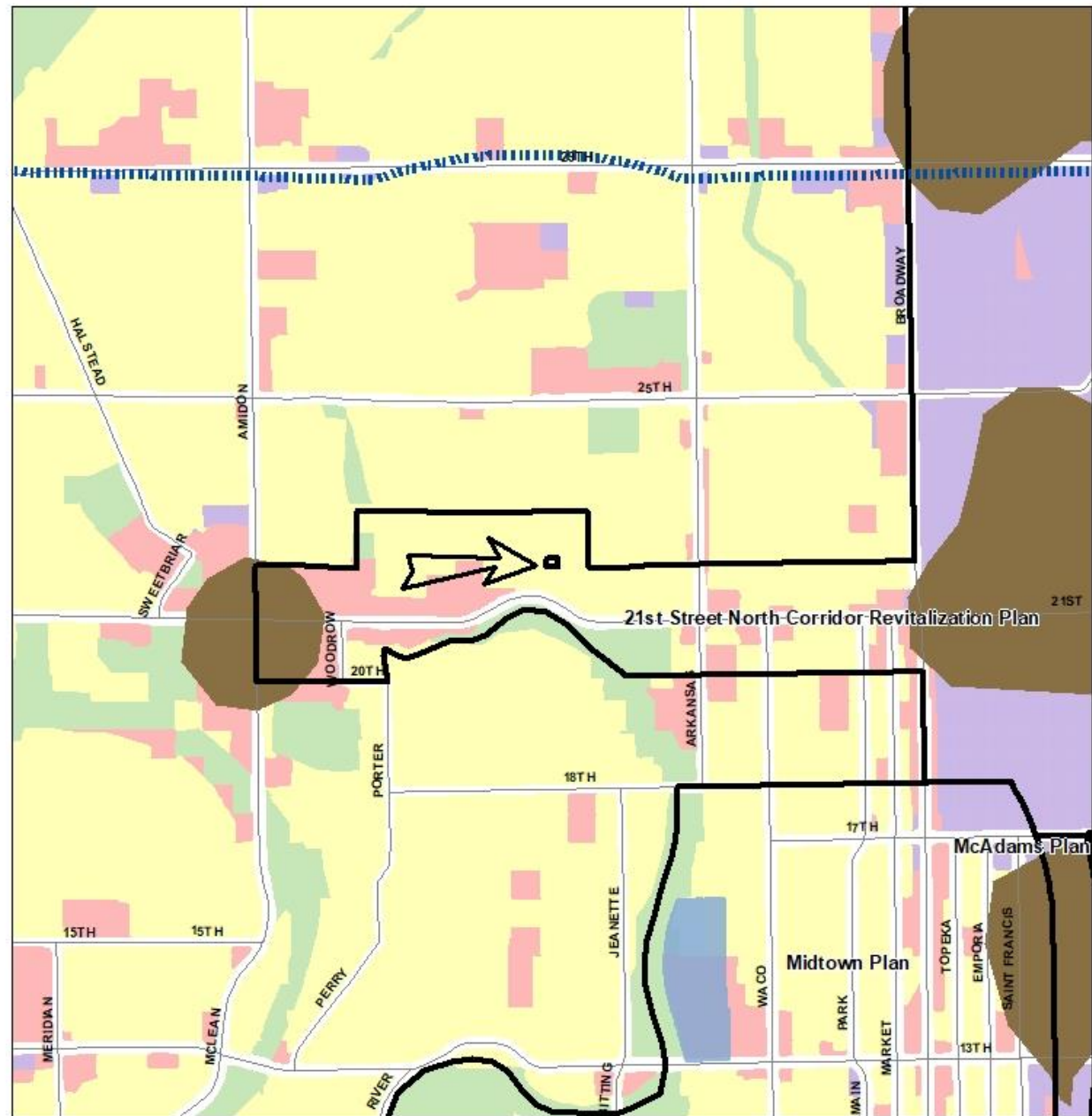
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

## LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd\_Plan\_Areas

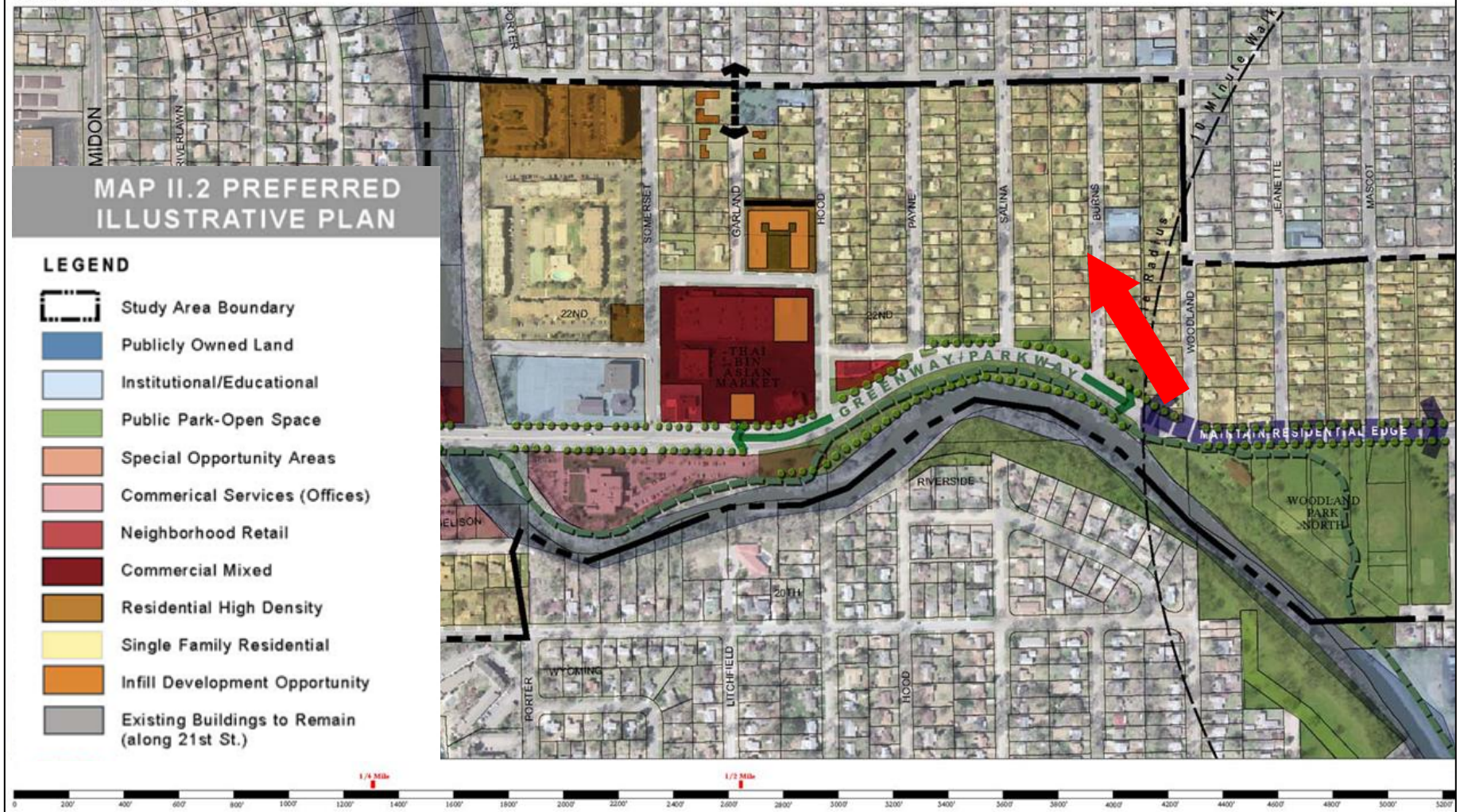


Map prepared by the City of Wichita, Kansas, Planning Department, using data from the City of Wichita, Kansas, Planning Department, and the U.S. Census Bureau. The map is for informational purposes only and does not constitute a guarantee, warranty, or endorsement of the accuracy or completeness of the information provided. The map is subject to change without notice.





## WEST SUB-AREA





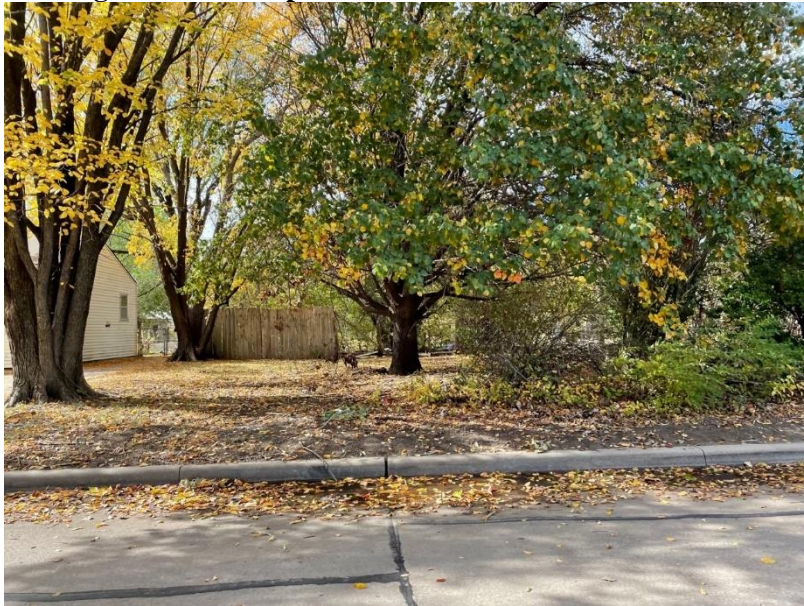
**Looking west at property south of site**



**Looking west at north parcel**



**Looking west at south parcel**



**Looking west at property north of site**





**Looking east at church property**



**Looking east away from site**

